REMARKS

Changes to Specification

Paragraph 0043 is amended to add the serial numbers of the referenced applications.

Response to Rejection

The application describes many details of a peer to peer network system. Claims 1-11 are currently the claims under review and claims 1-11 describe a system for naming a peer to peer group. The peer group has a name and a category identification. The peer to peer group may be public or private. In general, some of the novel points of claims 1–11 are the specific manner described in each claim of how the name for the peer group (as opposed to individual nodes) is calculated, how category names are calculated (including using hash functions and concatenation) and how the name of the group is provided to other peers. Further description is noted by each claim.

Dutta Reference

U.S. Patent Application Publication No. 2002/0073204, inventor Dutta et al ("Dutta") describes a system where data about the nodes connected to each other on a peer to peer network are displayed and a user can decide whether to stay connected to the other nodes on the peer to peer network. In paragraph 60, Dutta describes "Information categories" provided by the user that provide the most concise information that is being shared by the characterized node. Fig. 6 may illustrate this information. The categories may also be derived through scanning or a information category may be manually entered by a user in accordance with a standard dictionary of information categories.

Rejection Under Sec. 102

Claims 1-11 were rejected under 35 U.S.C. 102(e) as being anticipated by Dutta.

35 U.S.C. 102(e) states:

A person shall be entitled to a patent unless -

(e) the invention was described in - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under

> the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or<

The applicant has carefully read the cited reference, paying special attention to the sections highlighted by the Office action and the applicant does not find some of the elements of the pending claims in Dutta. MPEP Sec. 2131 entitled "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM" emphasizes the point that a reference must teach every element of the claim.

> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "When a claim covers several structures or compositions, either generically or as alternatives, the claim is deemed anticipated if any of the structures or compositions within the scope of the claim is known in the prior art." Brown v. 3M, 265 F.3d 1349, 1351, 60 USPQ2d 1375, 1376 (Fed. Cir. 2001) (claim to a system for setting a computer clock to an offset time to address the Year 2000 (Y2K) problem, applicable to records with year date data in "at least one of two-digit, three-digit, or four-digit" representations, was held anticipated by a system that offsets year dates in only two-digit formats). See also MPEP § 2131.02. "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The applicant respectfully traverses the rejection of the claims as elements of the claims are not present in the prior art reference as highlighted below.

CLAIM 1

Claim 1 describes a method of forming a peer-to-peer group that starts with selecting a friendly name (NameG) for a group. The method will then calculate a category

identification (CID) for the group. The CID will be provided to a peer so that the peer may use the CID to join the group if they so desire.

Claim 1 calls for both a category identification and a NameG unlike Dutta which only discloses a category. Dutta does not disclose a name for a group. It might be argued that the categories published by individual nodes in Dutta could be considered names but then Dutta would not disclose categories (the same element in Dutta cannot be both a name and a category to reject the two separate elements of the pending claims).

In Dutta, each node publishes only information categories, and these information categories may be searched but there is no disclosure of the connected nodes having a group name. This can also bee seen in Fig. 6 where Info Areas are disclosed, but there is no name for the group.

Further, Dutta discloses individual nodes sharing category information specific to that node while the claims call for the CID to be calculated for the group.

The applicant submits that claim elements are missing from paragraphs 62-64 of Dutta and that the Office action has failed to create a prima facie case of anticipation under 102(e). As such, the rejection of claim 1 has failed to create a prima facie case.

CLAIM 2

Claim 2 further describes claim 1 to include that the CID is calculated by hashing the NameG using a seed of "GROUP."

Similar to claim 1, the applicant does not find the teaching of calculating a category ID by hashing anywhere in the entire Dutta reference, let alone in paragraph 67 or in the discussion of Gnutella. A search for the term "hash" in Dutta does not return a single match. Hashing is a well known term and concept and there are few synonyms for hashing. Paragraph 67 of Dutta discusses function IDs which are shorthand for a certain request. The term "hash" and concept are not present in Dutta.

The applicant submits that claim elements are missing from paragraphs 67 of Dutta and that the Office action has failed to create a prima facie case of anticipation under 102(e). In addition, as claim 2 is dependent on claim 1 and elements of claim 1 are not present, the rejection fails for the same reasons as discussed under claim 1. Therefore, the rejection of claim 2 has failed to create a prima facie case.

CLAIM 3

Claim 3 further describes claim 1 to include that the peer to peer group is private and that the when the CID is provided to a peer, the CID is sent out of band. As to claim 3, the Office action states:

> Dutta teaches the method of claim 1 wherein the peer-to-peer group is to be private, wherein the step of providing the CID to a peer comprises the step of sending the CID to the peer out of band (paragraphs 62-64).

Similar to claim 1, the applicant does not find the teaching of a group being private in Dutta. Dutta describes nodes that can easily discover each other which would describe a public network.

The applicant also does not find the teaching of sending the CID to the peer out of band in the Dutta reference. The term and concept of in and out of band are not present in Dutta.

The lack of sending the CID out of band in Dutta makes logical sense at Dutta is only concerned with public peer-to-peer groups. There is no purpose in keeping the CID in another channel in Dutta as the groups are public. Again, the claimed "private group" is not present in Dutta.

The applicant submits that claim elements are missing from paragraphs 62-64 of Dutta and that the Office action has failed to create a prima facie case of anticipation under 102(e). In addition, as claim 3 is dependent on claim 1 and elements of claim 1 are not present, the rejection fails for the same reasons as discussed under claim 1. Therefore, the rejection of claim 3 has failed to create a prima facie case.

CLAIM 4

Claim 4 describes claim 1 to include that the peer to peer group is public and that providing the CID to other peers comprises registering the CID with a Peer Name Resolution Protocol ("PNRP") for discovery. As to claim 4, the Office action states:

> Dutta teaches the method of claim 1, wherein the peer to peer group is to be public wherein the step of providing the CID to a peer comprises the step of registering the CID with a peer-to-peer name resolution protocol (PNRP) for discovery (paragraph 67, Gnutella).

The applicant submits that claim 4 is dependent on claim 1 and elements of claim 1 are not present, the rejection fails for the same reasons as discussed under claim 1. The rejection of claim 4 has failed to create a prima facie case.

CLAIM 5

Claim 5 further describes claim 4 and calls for concatenating a peer ID with the CID to get CID:ID and registering CID:ID for discovery. As to claim 5, the Office action states:

> Dutta teaches the method of claim 4, further comprising the steps of receiving connect messages from the peer and returning a welcome message to the peer (paragraphs 68-70).

Applicant agrees that paragraphs 68-70 of Dutta appear to disclose a pop-up box being displayed which may be similar to a welcome message. However, claim 5 also calls for "concatenating a peer ID with the CID to derive CID:ID, and registering CID:ID with PNRP for discovery therethrough." The concept of concatenating addresses is entirely absent from Dutta. In addition, as claim 5 is dependent on claim 4 and claim 4 is dependent of claim 1 and elements of claim 1 are not present in Dutta, meaning the rejection fails for the same reasons as discussed under claims 1 and 4. The rejection of claim 5 has failed to create a prima facie case.

CLAIM 6

Claim 6 further describes claim 1 to include receiving a connect message and in response, communicating a welcome message. As to claim 6, the Office action states:

> Dutta teaches the method of claim 1 further comprising the steps of receiving connect messages from the peer and returning a welcome message to the peer (paragraph 67, Gnutella).

As claim 6 is dependent on claim 1 and elements of claim 1 are not present, the rejection fails for the same reasons as discussed under claim 1.

CLAIM 7

Claim 7 further describes claim 6 to include calculating a signature of a group object database and sending signature to a peer. As to claim 7, the Office action states:

> Dutta teaches the method of claim 6 further comprising the steps of calculating a signature of a group object database (paragraph 67, Gnutella).

The applicant does not find the teaching of calculating a signature of a group object database in the Dutta reference, let alone in paragraph 67. Paragraph 67 discusses Pong messages and function IDs which discover information about individual nodes, but not calculating a signature of a group object database. Again, the term and concept of calculating a signature of a group rather than individual nodes is not present in Dutta.

The applicant submits that claim elements are missing from paragraph 67 of Dutta and that the Office action has failed to create a prima facie case of anticipation under 102(e). In addition, as claim 7 is dependent on claim 1 and elements of claim 1 are not present, the rejection fails for the same reasons as discussed under claim 1. The rejection of claim 7 has failed to create a prima facie case.

CLAIM 8

Claim 8 further describes claim 7 to further describe calculating a signature of a group to include:

> Combining a unique ID (UID), a sequence number (SNUM) and an age for each group in the group object database and sorting a list of the combined UID/SNUMs/ages for the group object

As to claim 8, the Office action states:

> Dutta teaches the method of claim 7, including combining a unique ID with a sequence number and age (paragraph 67, Gnutella).

The applicant does not find the teaching of combining a unique ID with a sequence number and age in the Dutta reference, let alone in paragraph 67. Paragraph 67 discusses Pong messages and function IDs, not combining a unique ID with a sequence number and age. Further, the concept of SNUM (sequence number for a message) and age are total absent from Dutta. Again, the term and concept of combining a unique ID with a sequence number and age is not present in Dutta.

The applicant submits that claim elements are missing from paragraph 67 of Dutta and that the Office action has failed to create a prima facie case of anticipation under 102(e). In addition, as claim 8 is dependent on claim 7 and claim 7 is dependent on claim 1 and elements of claims 1 and 7 are not present, the rejection fails for the same reasons as discussed under claims 1 and 7. The rejection of claim 8 has failed to create a prima facie case.

CLAIM 9

Claim 9 further describes claim 7 to include receiving a request for a specific group object from the peer and transmitting the specific group objects to the peer. As to claim 9, the Office action states:

> Dutta teaches the method of claim 7, comprising the steps of receiving a request a specific group of objects (paragraph 67, Gnutella).

As claim 9 is dependent on claim 7 and claim 7 is dependent on claim 1 and elements of claims 1 and 7 are not present, the rejection fails for the same reasons as discussed under claims 1 and 7. The rejection of claim 9 has failed to create a prima facie case.

CLAIM 10

Claim 10 calls for receiving a connect message from the peer and returning a refuse message to the peer along with a list of members of the group. As to claim 10, the Office action states:

> Dutta teaches the method of claim 1 further comprising the steps of receiving a connect message from a peer and returning a refuse message to the peer along with a list of other members of the group (paragraph 67, Gnutella).

The applicant does not find the teaching of returning a refuse message to the peer along with a list of other members of the group in the Dutta reference, let alone in paragraph 67. Paragraph 67 discusses Pong messages and function IDs, not receiving a connect message from a peer and returning a refuse message to the peer along with a list of other members of the group. Again, the term and concept of receiving a connect message from a peer and returning a refuse message to the peer along with a list of other members of the group is not present in Dutta.

The applicant submits that claim elements are missing from paragraph 67 of Dutta and that the Office action has failed to create a prima facie case of anticipation under 102(e). In addition, as claim 10 is dependent on claim 1 and elements of claim 1 are not present, the rejection fails for the same reasons as discussed under claim 1. The rejection of claim 10 has failed to create a prima facie case.

CLAIM 11

Claim 11 calls for claim 1 to be implemented on a computer readable medium. As to claim 11, the Office action states:

> Dutta teaches a computer readable medium.
>
> Claim 23 of Dutta does call for a computer readable medium. However, pending claim 11 calls for the execution of the steps in claim 1 and as elements of claim 1 are missing from Dutta as explained previously, the Office action has failed to create a prima facie case.

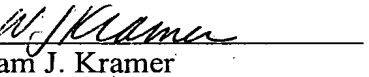
CONCLUSION

It is believed no fees are due with this response. If any fees are due, authorization is given to charge deposit account 13-2855. A duplicate copy of this paper is enclosed.

In view of the above amendments, applicant believes the pending application is in condition for allowance.

Dated: February 22, 2006

Respectfully submitted,

By 

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